

60,469-030; OT-4798

REMARKS

Applicant thanks the Examiner for the remarks and analysis contained in the most recent Office Action. Claims 1, 7-9, 11, 13 and 16-18 are amended. Claims 5, 6, 10, 14 and 15 are cancelled. Applicant respectfully requests reconsideration of this application where claims 1-4, 7-9, 11-13 and 16-18 are pending.

Claim 1 has been amended to incorporate the subject matter previously presented in claims 5, 6, 10 and 11. As the entirety of the subject matter of claims 5, 6 and 10 are now incorporated into claim 1, those claims have been cancelled. Only some of claim 11 has been incorporated into claim 1 therefore that claim remains in the form amended above. Applicant respectfully submits that the amended version of claim 1 is clear and satisfies the requirements of 35 U.S.C. §112 such that the rejection under that section can be withdrawn.

The only art rejection applied against the subject matter of claim 6 was an obviousness rejection based upon the disclosure in claim 5 of the *Wakelam* reference. Applicant respectfully submits that there is no *prima facie* case of obviousness against the subject matter of originally presented claim 6 (now in claim 1). Claim 5 of the *Wakelam* reference does not teach an arrangement that allows an individual to make choices as suggested by the Examiner. Claim 5 of the *Wakelam* reference clearly states that it includes "means for avoiding the detected physical clash by automatically relocating...." Accordingly, the *Wakelam* reference teaches an automated clash avoiding arrangement. *Wakelam's* automated approach does not have any use for a user choice and there is no motivation for modifying *Wakelam* in a way that would make it consistent with claim 6 as suggested by the Examiner on page 4 of the Office Action. Applicant

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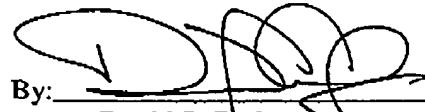
respectfully submits that the *Wakelam* reference does not render claim 1 obvious. All other art rejections applied against claims 1-12 are now moot.

Claim 13 has been amended to incorporate the subject matter previously presented in claims 14 and 15, each of which have been cancelled. The only art rejection applied against claim 15 was the 103 rejection based upon claim 5 in the *Wakelam* reference. For the same reasons just mentioned, there is no *prima facie* case of obviousness.

Applicant respectfully submits that this case is in condition for allowance.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this Response After Final, relative to Application Serial No. 09/768,407, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on November 23, 2005.


Theresa M. Palmateer

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